IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (LODGING) NO.172 OF 2005

Sunil Chavan Petitioner

versus

Ajay Shah and others Respondents

Ms.A.S.Malvankar, adv. for petitioner.

Mr.Deepak Trivedi with M.R.Deshpande, adv. for respondents 1 and 2.

S.V.Chavan i/by Utangale & Co; adv. for R-3.

CORAM : H.L.GOKHALE AND
S.C.DHARMADHIKARI, JJ.

DATE : 25th January 2005

PC :

1. Heard Ms.Malvankar for petitioner, Mr.Trivedi for respondents 1 and 2 and Mr.Chavan for respondent no.3.

2. The petitioner is a builder who claims to espouse the cause of hutment dwellers in a property which is situated at Oshiwara, Jogeshwari (West). It is submitted that respondents 1 and 2 who are developing the SRA scheme, do not have the support of hutment

dwellers. Petitioner has made an appeal to the Slum Tribunal. He submitted that the respondents have proceeded to demolish the hutments. Petitioner may move an application for an appropriate interim order not to demolish the hutments as stated by Ms.Malvankar. Respondents 1 and 2 will not proceed to demolish the hutments in the mean while on the disputed Survey No.31/1, CTS No.155 (Part), Oshiwara, Jogeshwari (West). We make it clear that in the event interim order is not granted within one week, it will be open for respondents 1 and 2 to proceed further to take necessary steps. Petition disposed of. Mr.Trivedi at this stage states that some 50 hutments have already been demolished. Both the parties will maintain status-quo in the mean while.

(H.L.GOKHALE, J.)

(S.C.DHARMADHIKARI, J.)